

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANDREW R. PERRONG  
1657 THE FAIRWAY #131  
JENKINTOWN, PA 19046

Plaintiff

v.

DELANEY CONSTRUCTION PAVING  
AND JOHN DELANEY

Defendants.

Case No. 2:22-cv-03261-JMY

JURY TRIAL DEMANDED

**DECLARATION OF ANDREW R. PERRONG  
IN SUPPORT OF MOTION FOR DEFAULT JUDGMENT**

1. My name is Andrew R. Perrong. I am over 18 years old. I can testify competently to the undersigned statements.
2. My residential, telephone number is 215-947-XXXX is on the National Do-Not-Call Registry and had been for at least 31 days prior to the calls in this action.
3. I am charged per minute for each call I receive on the number.
4. The number is a private, residential number used for personal, family, and household purposes.
5. In anticipation of the attached Motion for Default Judgment, I have reviewed my telephone billing records for the number. I have identified two telephone calls from the Defendants. All of those calls were placed using an Automatic Telephone Dialing System and with prerecorded voices, as more fully described in the Complaint.

6. After filing the lawsuit, I sent requests to waive service of summons, together with copies of the complaint, two copies of the waiver form and self-addressed stamped envelopes, to the address where Defendants were subsequently served.

7. Because I never received executed waivers from either Defendant, I needed to hire a process server to serve the Defendants. Service for the Defendants totaled \$300, or \$150 for each Defendant, as evidenced by the returns of service.

8. I also paid the \$402 filing fee for this action to the Clerk of Court.

9. Based on my calling records, I allege four violations of 47 U.S.C. § 227(b)(1)(A) and six violations of 47 U.S.C. § 227(c). Additionally, I allege two violations of 73 Pa. Cons. Stat. § 2241. Accordingly, I am entitled to \$15,600 in statutory and treble damages based on these violations.

10. I am requesting a default judgment be entered in my favor in the amount of \$16,302, representing the sum of my service fees, the filing fee, and the statutory damages.

11. The corporate Defendant in this action, is a corporation and is therefore not an infant, incompetent person, or in the military service of the United States.

12. The individual Defendant in this action, John Delaney, is a business owner, and I have no reason to believe she is either an infant nor an incompetent person. Moreover, I have queried the Department of Defense's SCRA website, and it has indicated that Defendant John Delaney is not currently in the military service of the United States.

**I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.**

Executed this 9<sup>th</sup> day of November, 2024, at Pennsylvania,

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Andrew R. Perrong